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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/986,694	11/09/2001	Takahiro Ishioroshi	Q67018	5831

7590

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SUGHRUE, MION, ZINN, MACPEAK & SEAS, PLLC  
2100 Pennsylvania Avenue, N.W.  
Washington, DC 20037-3213

EXAMINER

CULLER, JILL E

ART UNIT

PAPER NUMBER

2854

DATE MAILED: 03/18/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/986,694

Applicant(s)

ISHIOROSHI ET AL.

Examiner

Jill E. Culler

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-- The MAILING DATE of this communication appears on the cover sheet with the corresponding address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 09 November 2001.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-10 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-10 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 09 November 2001 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.  
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 3.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

## **DETAILED ACTION**

### ***Drawings***

1. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(4) because reference character "31" has been used to designate both the control mode table and different control modes, see page 15, lines 6 and 18.

The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they do not include the following reference sign(s) mentioned in the description: 10.

A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

### ***Information Disclosure Statement***

2. The "other documents" listed on PTO-1449 filed 11/09/01 have been crossed out since these documents are merely abstracts of documents considered in the "Foreign Patent Documents" section of the form.

### ***Specification***

The disclosure is objected to because of the following informalities:

The specification is replete with terms which are not concise and grammatically correct. The specification should be revised carefully in order to correct these informalities. Examples of some informalities are:

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On page 3, lines 11-12, and throughout the specification the phrase "method for designation process information" is unclear. It appears that applicant intends to refer to a method for "designating" process information.

On page 3, line 22, in the phrase "of said a process" the word "a" appears to be unnecessary.

On page 8, line 2, it appears that the word "sows" should be "shows".

Appropriate correction is required.

### ***Claim Objections***

3. Claims 1-10 are objected to because of the following informalities:

In claim 1, on line 1, the phrase "method for designation process information" is unclear. It appears that applicant intends to refer to a method for "designating" process information.

In claim 1, on line 6, in the phrase "of said a process" the word "a" appears to be unnecessary.

In claim 4, on line 3, it appears that the word "operation" should be "operating".

In claim 7, on line 3, the phrase "every after the completion" is awkward. It appears that the applicant intends for the query to be after the completion of each printing.

In claim 10, on line 5, in the phrase "of said a process" the word "a" appears to be unnecessary.

In claim 10, on line 17, there should be no punctuation between "method" and "comprising".

In claim 10, on line 31, the word "represents" is not generally used in the context and is therefore confusing.

In claim 10, on line 35, it appears that the word "judged" should be "judges".

In claim 10, on line 38, there appears to be a word missing between "apparatus" and "judged".

In claim 10, on line 41, it appears that the word "initiate" should be "initiates".

Appropriate correction and/or clarification is required.

### ***Claim Rejections - 35 USC § 102***

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

5. Claims 1-5 are rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent No. 5,091,859 to Zingher et al.

Zingher et al. teaches a system for designating process information comprising a process execution apparatus, 14, for executing a given process, a process control apparatus, 6, which executes a prescribed process control of the process execution apparatus, a process designation apparatus, 1, which designates the process control of the process control apparatus, where the process designation apparatus possesses a

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designation information list, 2, for the process control, see column 4, lines 12-15, and the process control apparatus possesses a control mode table, 7, including a control mode which defines the actuation of the process designation apparatus, an information reader, 8, which reads the designation information from the designation information list, and a process controller, 9, which acquires a prescribed control mode from the control mode table to perform the process control of the process execution apparatus. Zingher et al. also teaches that the process designation apparatus makes a process designation via a local area network or through a communication apparatus, 15, see column 4, lines 36-39. Zingher et al. further teaches an information registration apparatus, 11, for intensively performing the registration of the designation information in the process designation apparatus and the registration of the control mode in the process control apparatus at one portion. See column 5, lines 17-23. Zingher et al. also teaches that the process designation apparatus has a monitor, 13, for monitoring the operating condition of the process execution apparatus and acquires the operating condition via the process control apparatus.

### ***Claim Rejections - 35 USC § 103***

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

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7. Claims 6-7 and 10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Zingher et al.

With respect to claims 6-7, Zingher et al. teaches all that is claimed, as in the above rejection of claims 1-5 except that the information reader automatically makes a query for the designation information every given times or after the completion of each printing.

However, it would have been obvious to one having ordinary skill in the art at the time of the invention that the information reader must make a query for additional designation information at the completion of printing.

Likewise, with respect to claim 10, although Zingher does not explicitly teach the steps as claimed, it would have been obvious to one having ordinary skill in the art that a process control should be continued until the prescribed process is completed, a query would be made for additional designation information at the completion of printing, the designation information would be updated upon receipt of the query, and the status of a control mode would be judged and switched if the status had changed.

8. Claims 8-9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Zingher et al. in view of U.S. Patent No. 2,908,219 to Clauss.

Zingher et al. teaches all that is claimed, as in the above rejection of claims 1-7 except that the system is applied to process control in a flexible manufacturing line which is a printing process in packing and shipping lines for containers.

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Clauss teaches a printing system for containers in a manufacturing line, see column 1, lines 15-22.

It would have been obvious to one having ordinary skill in the art at the time of the invention to use the process control system of Zingher et al. with the printing operation of Clauss in order to have more flexible control of the printing process.

### ***Conclusion***

9. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jill E. Culler whose telephone number is (703) 308-1413. The examiner can normally be reached on M-Th 7:30-5:00.

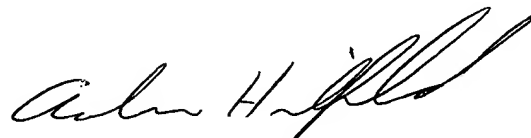
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew Hirshfeld can be reached on (703) 305-6619. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 308-7722 for regular communications and (703) 308-7722 for After Final communications.



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Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-1782.

jec  
March 10, 2003

A handwritten signature in black ink, appearing to read "Andrew H. Hirshfeld", written in a cursive style.

**ANDREW H. HIRSHFELD  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2800**